PRESIDENT: I am sorry, no.

The motion was put and carried and the grant was made.

DEMAND XXXVII—DEBT HEADS—COINAGE ACCOUNT.

MR. A. LEKSHMINARAYANA AYYAR: Sir, I move for a supplementary grant of Rs. 3,04,000 under Mint advances. This is intended for meeting the additional expenditure for the purchase of bullion required for minting about ten lakhs of small silver coins in order to remove the present shortage of small change. I request the House to sanction the grant.

The motion was put and carried and the grant was made.

PRESENTATION OF THE REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON THE AUDIT REPORT AND APPROPRIATION ACCOUNTS OF 1116 M. E.

MR. A. LEKSHMINARAYANA AYYAR: Sir, I beg to present the Report of the Public Accounts Committee on the Audit Report and Appropriation Accounts of 1116 M. E.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, I wish to make a few observations on the Report of the Public Accounts Committee that has been presented to us for consideration. Unlike the Standing Finance Committee or any other committees constituted by Government for different purposes, this is the statutory body constituted under Rule 79 of the Travancore Legislative Rules for the purpose of dealing with the Audit Report and Appropriation Accounts of Government. Under these circumstances, it would be in the fitness of things if the Public Accounts Committee, which has the special privilege of having the Dewan as its Chairman is afforded sufficient opportunity to discharge its functions satisfactorily. Of late, it has almost become the practice to fix up the date of the meeting of the Public Accounts Committee in such a way as not to give sufficient convenience or time to the non-official members of the committee to study properly the Audit Report and Appropriation Accounts and be ready for a discussion. By the very nature of this document, it is difficult for a lay-man to understand it. On more occasions than one I have complained against this attitude of the authorities concerned. But Sir, I am constrained to observe that deserving attention has not yet been given to this aspect of the matter. It is really regrettable to note that the meeting of the Public Accounts Committee appointed for considering the Audit Report and Appropriation Accounts of 1117 M. E. was proposed to be held on the 5th Karkatakam, a day which was set apart for studying the voluminious budget for the next year. It would appear that the business of the Public Accounts Committee is being treated as an unimportant matter of ordinary routine. Sir, you are the custodian of the privileges of both the Houses of Legislature and I would therefore appeal to you to see that such things are not repeated at least in future.

PRESIDENT: I can fully understand the view of the honourable member. I wish to know whether he is making any motion to have this discussion adjourned till after the budget debate.

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MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, I wish to make only a few observations with regard to this matter and hence I do not propose to make any motion for the adjournment of discussion.

PRESIDENT: So far as the fixing of the date of the meeting of the Public Accounts Committee is concerned, the Financial Secretary made it clear yesterday that it was only the first or a preliminary meeting. Is it not so, Mr. Financial Secretary?

MR. A. LEKSHMINARAYANA AYYAR: Yes, Sir.

PRESIDENT: So that honourable members could fix another date for discussing the matter fully.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Thank you, Sir.

Another matter I wish to bring to your notice is this. Under the rules the Dewan is the ex-officio Chairman of the Public Accounts Committee. I find from the annual reports of the Public Accounts Committee for the last three years that the deliberations of the Public Accounts Committee were presided over by the Chief Secretary to Government, of course under authorisation by the Dewan. Sir, whatever might have been the reasons therefor, I beg to request that you may be pleased to make it convenient for you to preside over the deliberations of the committee so that you may get first-hand information about the criticisms made by the non-official members regarding the dereliction of duties, violation of rules and circulars, want of proper control over finances and other financial irregularities on the part of the Heads of Departments. I think it would be more in the public interests if the Dewan presides over the meetings. I may be permitted to make it perfectly clear that the present Chief Secretary who presided over the meetings of the Public Accounts Committee for the last two years has always been very helpful to the committee in clarifying the position of Government and also in furnishing valuable satisfactory information to the committee with uniform courtesy and respect.

PRESIDENT: In as much as my attendance on the Public Accounts Committee has been invoked, I may at once state the point of view I have adopted. In the nature of things the honourable member who has just sat down will realise that the Public Accounts Committee deals with the detailed accounts of transactions, and the Dewan, for the time being, especially, when the pressure on his time is very great, may not have sufficient leisure to go through the details as much as the heads of departments and the Chief Secretary may. But I fully realise that there may be occasions when matters of principle or questions of grave importance may arise when the Dewan's presence would be of use. I take it that the Chief Secretary will be the first to invite my attention when such an occasion arises, and I shall be only too glad then to participate in the deliberations of the Public Accounts Committee.

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MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Thank you, Sir. Having said so much about the Report in general I wish to draw the attention of the House and Government to certain unsatisfactory results mentioned in the Report. It can be seen from the annual reports of the Public Accounts Committee that the committee has been recording year after year its protest against the high percentage of variations between the total grants and the actual expenditure and also against the large number of unnecessary supplementary demands for grants.

These facts prove beyond any reasonable doubt the absence of strict control over the progress of expenditure against the budget allotments. It is regrettable to find that there has not been satisfactory improvement in such matters so far. Similarly a great majority of the Heads of Departments do not appear to have taken any care or pains to comply with the provisions contained in Article 930 of the Financial and Account Code. It lays down that whenever the head of a department finds that he cannot spend any portion of the budget allotment placed at his disposal, he must make a report of that fact immediately to Government and surrender the surplus amount. This rule appears to have been deliberately violated in the majority of cases. The result of such non-surrender is obviously against public interest, in as much as such excess funds could have been utilised for more pressing necessities of the time and to the best advantage of the tax-payers.

With a view to prevent the rush of expenditure of the P. W. department grant towards the close of the year, Government have issued orders prescribing the percentage of expenditure for each quarter. Let us see whether this rule is being acted upon or uniformly violated by the P. W. D. Paragraph 13 of the report of the Public Accounts Committee reads thus:

> 'It was noted that, as usual, expenditure in the P. W. D during the last quarter of the year was out of proportion to the expenditure of the year. This, the Committee points out, should be avoided.'

Every year in the report of the Public Accounts Committee we find similar statements made with regard to this Department. I am at a loss to understand why the Government are making these rules if they are unable to enforce them. If, on the other hand, it is found from actual experience that it is difficult to act in accordance with such rules I would suggest that it is better to cancel these rules immediately without worrying the Public Accounts Committee or the Legislature on this account. Sir, I would only request that you may be pleased to peruse the reports of the Public Accounts Committee for the last three years and see whether the annual scrutiny of the Audit Report and Appropriation Accounts by the Public Accounts Committee has improved matters to any extent. I am constrained to submit that it is only a waste of public time and funds to have this formality gone through every year without any corresponding benefit either to Government or to the State. With these observations I resume my seat.

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SADASYATILAKA T. K. VELU PILLAI: I am very glad to support the observations of Mr. T. P. Velayudhan Pillai. I do not want to make a comparative estimate of the values of the contributions made by honourable members. But permit me to say, Sir, that whenever Mr. T. P. Velayudhan Pillai has spoken on this or on kindred matters, I have listened with great admiration and respect so that once he begins to speak, I feel always that there would be something really forceful in what he is going to say; but this time I was disappointed. The position contended for by him was very sound. The first thing that he stated was that in preference to the Chief Secretary to Government presiding over the Public Accounts Committee, the Dewan should, if possible, do so. Neither Mr. Velayudhan Pillai, I take it, nor I have anything against the person of the Chief Secretary or his fitness. It is a matter of principle. For, Sir, the Chief Secretary is betweeen two stools; between the non officials and the Dewan, who is the head of the administration.

PRESIDENT: I hope the honourable member will not take it for granted that there is a great gulf between the Dewan and the non-officials.

SADASYATILAKA T. K. VELU PILLAI: No, Sir. But the points of view may differ. But the Dewan, on the other hand, may be able to take a proper and stronger initiative. To put my idea briefly, Sir, the difference between the Dewan and the Chief Secretary in this matter is the difference between salt and what is contained in the salt. And very often when the Chief Secretary is asked to go into a certain question he will have to veto his own conclusion when he becomes the Dewan. I remember an instance in which the Chief Secretary in a neighbouring State drafted a letter with regard to a petition of a friend of mine. It so happened that after the petition was submitted to Government, this Chief Secretary became the Dewan and then he passed orders against the recommendation which he himself, as Chief Secretary, had made.

The next point that I wish to develop is that there is no use in merely going through the forms of accounting and appropriation and so forth. It was the figures for the year 1116 that were gone through by the Committee, though we are now in 1118. I wonder, Sir, when people who are fit for these purposes, as estimated by Government and as acquiesced in by us, persons coming from outside where they have been dealing with larger things than we are accustomed to do here, are put in charge of these works, why these defects cannot be cured. This is a matter in which we and the Government cannot congratulate ourselves. I would urge upon the Government one thing, and that is, do things properly, and do them in time. What is the use of summoning a meeting yesterday? Let these things filter down. We non-official members know our limits; at least we want some time we went to take instructions from persons who know them. We are not let into all the secrets. Therefore, Sir, so long as rules make it necessary that certain things should be done, the greatest possible facilities must be made for doing them.

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[Sadasyatilaka T. K. Velu Pillai.]

There is another aspect which I wish to touch. I have very often felt that when the Dewan does a thing himself, heads of departments and others who give their opinion and views on that matter, have more of the thing in their heads than when another officer presides, though that officer is one of great ability and experience. I have always felt that in some way, the statements from the Chair assume a different aspect. I do not want to speak about personalities, but I may say that when the occupant of the Chair is one who knows all these subjects better than all of us, we feel that there is a power above us who will descend upon us and our arguments.

PRESIDENT: I suppose the gist of the argument is that I should speak less. I fully realise the point.

SADASYATILAKA T. K. VELU PILLAI: In vindication of my own reputation and my capacity to learn and admire things, that is not my view. We want to hear more from the Chair and to learn from what we hear. We feel sometimes that information which we could not get from elsewhere, we can get from the Chair. So that, if these people are made to do their duty properly, if they are asked to do things in time, if when the Chief Secretary presides over the meetings he will see that proper action is taken, I have no doubt that the complaints will not arise.

MR. M. SIVATHANU PILLAI: Before I make a few observations on the topic, I may take the House immediately into my confidence and confess that I am also infected, to the same extent by a similar sense of irresponsibility as on the part of the official members. In other words, I had also the good fortune, or misfortune, I cannot say which, to attend several of these committees; and I find generally speaking official members coming not prepared with their subjects, when information are sought for. Their negligence or indifference very often infects me as well. So much so, sometimes, when I return home after the session, I feel that I have not done properly my duty to the public.

PRESIDENT: The honourable member has got a constituency to whom he is responsible, but the official member has got only myself as a constituency.

MR. M. SIVATHANU PILLAI: I beg to differ, Sir. The official members have more responsibility towards the public as a whole than a mere representative of a section of them. Officials are public servants and as such they ought to be responsible to the public. I feel sir, that the non-officials and officials have in our country at least the same amount of responsibility to the public and that is why we do not find any difference in our outlook between these two sets of persons in the committees. What I want to make clear is that ordinarily in these committees, if official members do not come prepared with their subjects

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and do their duty properly but behave in a manner in respect of their responsibilities and duties bespeaking indifference or negligence the same spirit supervenes and sometimes affects the non-officials as well. The actual experience of some committees has been that the official members have not been found to be earnest. I can therefore very easily imagine Mr. Velayudhan Pillai bemoaning the results of the committees' work.

But in one matter I differ from him. When he was referring to the absence of the Dewan from the meetings of the Public Accounts Committee, he said he found himself helpless. I cannot agree with him. The procedure should be for the non-officials to take such a position that it should be impossible for the committee to proceed further unless the Dewan takes the Chair. I know of an instance some time back when the Chief Secretary went to Bhaktivilas and asked the Dewan to preside over the meeting of the finance committee.

PRESIDENT: I do not remember the occasion, but I thank you for the compliments.

MR. M. SIVATHANU PILLAI: I remember it and remember also being treated to tea by the Dewan. Sir, our prestige as representatives of the people is also raised by the Dewan occupying the presidential chair. And, if we put questions to the heads of departments, and they fail and cannot answer them, the Dewan has a chance to understand where the mistake lies, who is responsible for such mistakes, and how they could be remedied at once in the interest of efficient administration. And these will have a salutary effect on erring or negligent officers and departments. Whereas in the case of the Chief Secretary presiding over such committees, the case becomes different. Perhaps the Chief Secretary to Government may be able to offer explanations in cases of doubts. He may sympathise with our view points. But the real difficulty of the non-official members is, they may not be able to get all the relevant information from the concerned Head of the Department if he is so inclined. The Chief Secretary also feels helpless in the matter. The real person who is responsible to the public in the administration of the department is the Head of the Department and he is controlled by the Head of the Administration and not by the Chief Secretary who is only a co-officer. In case of doubts, when the Head of the Department finds it difficult to explain or is found to have done things not properly the Head of the Administration can note where the Departmental Head stands and in cases of necessity whether he should or should not take any disciplinary action. Errors on the part of the Departmental Head can so be corrected and there is scope for it only when the Dewan is present in such committee meetings. It is that aspect of the matter which I want to urge on the attention of the Govenment.

PRESIDENT: As I find that there are a certain number of honourable members who feel about the absence of the President, unless there is any special inconvenience, I shall make it possible to attend the Committees hereafter.

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MR. M. SIVATHANU PILLAI: Sir, I am very much thankful. As regards the ignoring of circulars which are meant to have a salutary effect on the officers charged with proper expenditure of funds particularly in the Public Works Department, I need not dilate on the real implication of the circulars issued from time to time by Government. Every year, the amounts set apart in the budgets of the Public Works Department should be spent by the officers concerned in a proper and efficient manner. But it is found often that public works are rushed through at the fag end of the year by the P. W. D. officers to avoid surrender of funds and as a result the works suffer from want of good supervision and very often the expenditure becomes a waste. There is also a tendency on the part of the Division Officers to take up easy items of public works in a year without looking into the importance of the work and show expenditure to their credit. Sometimes it happens that contractors draw bills for works which had not been completed in that year for fear of lapse of the amount. I understand the reason for issuing circulars that each quarter of the year should show progress of work and expenditure is with a view to secure efficiency in work. Of course, Government thought it fit to issue circulars that the expenditure in the Public Works Department should be separately audited so that the proportion of the amount spent in each quarter could be easily found out and how far the public have been benefited by that. Such a circular is found to be ignored by the officers of the Public Works Department. Public Accounts Committee Reports for the past three years reveal such a state of affairs. I am extremely sorry to observe that there has been a deliberate violation of that circular. I do not know what steps are proposed to be taken to effect the observance of such circulars by the officers in the P. W. Department. All that I wish to urge on the pointed attention of Government is that violation of such circulars should be taken note of by Government and the officers in default corrected.

Another point I wish to refer in connection with the work of committees is this. Invariably I find that there has been some lack of vigilance or diligence on the part of the Secretaries or the Conveners of Committees to convene meetings at the proper time after giving sufficient notice to the non-officials as per the rules. Sometimes notices are given the previous day. I do not know how to characterise such an attitude on the part of the Financial Secretary who, it is said, has given notice of the Public Accounts Committee meeting only a day previous to the meeting. A notice recently issued said that such a meeting was to take place yesterday. I imagined that the Financial Secretary's only duty was to place the audit report and appropriation accounts formally before the Committee for their mere approval. That is not the idea which we all associate with the Committee's discussion and deliberation. There must be some time given to the non-official members to understand and study the questions involved in the proposals placed before the Committee, so that they

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may profitably offer their opinions on the several problems and aspects. It is not a special feature of this committee alone where notice of meeting has not been issued at the proper time as required by the rules but in almost all committees such a thing prevails. We have found the same disadvantage in respect of the present legislative Bills. We get notices today stating that legislative business will be taken up not in accordance with the first notice but on a date curtailing the period of notice. I do not appreciate the hurry with which the legislative business is sought to be transacted in this House without giving sufficient notice and with scant courtesy to members. I do not understand why it is said that the Committee have not thought it fit to republish the Bill as revised by the Select Committee's report. Though generally the Committee is not responsible to the public, the public are very eager to know why and how the Bill is revised and framed and also the nature of the discussion carried on by the members of the Select Committee. Invariably I find that there is inordinate and un-understandable hurry in rushing through the reports of many committees. Such things should be checked because we have first of all to understand what we are asked to do and then see how best it has to be done. In such matters, we feel helpless. I would once again request Government not to rush through such important matters but to afford ample opportunities to the public and to this House to study them.

PRESIDENT: We will now proceed to the legislative business.

LEGISLATIVE BUSINESS.

THE TRAVANCORE HIGH COURT ACT (AMENDMENT) BILL.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, I rise to present the report of the Select Committee on the Travancore High Court Act (Amendment) Bill. The Select Committee have not made any amendments in the substance of any of the sections. The suggestions made by the Select Committee have been to clarify and make more clear what was intended by the various sections and the report of the Select Committee has been printed and supplied to the members of the Legislature. Now then, there is the Bill along with the Committee report for consideration. There are two dissenting minutes to the report. I do not want to say anything on those dissenting minutes as in neither of them is there any proposal with regard to the clauses of the Bill. In the dissenting minute of the honourable member Mr. T. K. Velu Pillai, there is one sentence which reads to this effect. "The mover was not able to say whether the High Court expressed any opinion on the Bills." I am sorry to say that I have to object to this sentence because it is incorrect. It is untrue to say that the mover was not able to say whether the High Court expressed any opinion on the Bill. When the Committee met for discussing the High Court Act

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